

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figures 7 and 8; text labels have been added to each element.

Attachments: Submittal of Drawing Replacement Sheets

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claim 22 to correct a typographical error; no new matter has been added.

2.) Examiner Objections – Drawings

The Examiner objected to Figures 7 and 8 as lacking suitable descriptive legends. The Applicants submit herewith an amendment of those figures to include text labels corresponding to the description of the elements thereof.

3.) Examiner Objections – Specification

The Examiner objected to the specification because on the basis that “analyzer 54 described in specification in par. [0008] is not shown in any of the figures.” The Applicant has amended the specification to correct the typographical error; “54” has been corrected to “44.”

4.) Claim Rejections – 35 U.S.C. §101

The Examiner rejected claims 27-29, under 35 U.S.C. §101, because “the claims . . . recite . . . elements, which when read in light of the specification amounts to nothing more [sic] computer readable medium,” referring to MPEP §2106(IV)(B)(1). The Applicants fail to understand the basis for the Examiner’s rejection. Claims 27, *et seq.*, are directed to a “network component configured to request access to a node of a wireless communications network,” comprising specific “units” and a database, each of which perform or provide certain functionality, the combination of which yields the desired result. The claim is clearly directed to statutory subject matter, whether it be classified as a process or machine. Accordingly, the Applicants respectfully request that the Examiner reconsider the claim rejections under §101.

5.) Claim Rejections – 35 U.S.C. §103(a)

The Office Action states that claims 17-30 are unpatentable over Baker, *et al.* (US 2001/0038619 A1) in view of Gustafsson, *et al.* (US 6,643,275 B1) (see Paragraph 10), although the Examiner only states specific reasons for the rejection of claim 17 with respect to those two references. The Examiner then adds the teachings of Hwang, *et al.* (US 2001/0026543 A1) to the teachings of Baker and Gustafsson in stating that claims 18-20 are unpatentable (see Paragraph 13), but then only recites specific reasons for rejection of claims 18 and 19 in view of those three references. Other inconsistencies exist with respect to the Examiner's other claim rejections, including rejections based on the additional teachings of Karna, *et al.* (US 6,594,248 B1). The Applicants arguments herein are directed to the claim rejections on the basis of the Examiner's specifically-stated reasons for rejection; the arguments are organized with respect to each claim set and based on the combination of references asserted by the Examiner to render the base claim of each claim set unpatentable.

Claims 17-21, 26

The Examiner rejected claim 17 as being unpatentable over Baker in view of Gustafsson. Claim 17 recites:

17. A method of requesting access to a node (BS) of a wireless communications network (10), the method, comprising the steps of:

a) determining information about a transmission path (12) within the network (10);

b) determining an identification code to differentially identify the requesting network component (UE) from other network components (UE) based on the determined transmission path information, wherein previously an association between identification codes and transmission path information has been established; and

c) modulating the determined identification code onto a signal to generate an access request signal from which transmission path information may be derived. (emphasis added)

The Applicants' invention for requesting access to a node of a wireless network is characterized, in part, by determining an identification code to differentially identify the requesting network component from other network components,

wherein "previously an association between identification codes and transmission path information has been established." The utilization of established associations between identification codes and transmission path information results in improved signalling between the requesting network component and the access node of the wireless communications network.

The Examiner asserts that Baker teaches "determining an identification code based on the determined transmission path information, wherein previously an association between identification codes and transmission path information has been established," yet recognizes that Baker fails to "explicitly disclose id codes used to differentially identify the requesting network component (UE) from other network components (UE) *and* modulating the determined identification code onto the [sic] an access request signal *from which transmission path information may be derived.*" emphasis added) The Examiner's statements are inconsistent. Assuming, *arguendo*, that both statements could be consistent, however, Gustafsson fails to cure the deficiencies of Baker recognized by the Examiner. The Applicants' invention is characterized by modulating the determined identification code onto a signal to generate an access request signal *from which transmission path information may be derived.* The Examiner points to a teaching in Gustafsson with respect to a signature pattern in a transmitted signal that is used for the purpose of "avoiding collision." The Examiner, however, points to no teaching in Gustafsson with respect to using a determined identification code, according to Applicants' invention, "from which transmission path information may be derived." Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness of claim 17. Whereas claims 18-21 and 26 are dependent from claim 17, and include the limitations thereof, those claims are also not obvious over Baker in view of Gustafsson (or any of the additional references cited by the Examiner).

Claims 22-25

The Examiner rejected claim 22 as being unpatentable over Gustafsson in view of Hwang. Claim 22 recites:

22. A method of controlling access to a node (BS) of a wireless communications network (10), the method comprising the steps of:

a) receiving an access request signal onto which an identification code has been modulated, the identification codes differentially identifying the requesting network component (UE) from other network components (UE);

b) analyzing the identification code to derive a transmit power level therefrom, wherein previously an association between identification codes and transmit power levels has been established;

c) transmitting an access control signal including access control information (AI) at the transmit power level derived in step b). (emphasis added)

As noted *supra*, the Applicants' invention is characterized by modulating a identification code onto a signal to generate an access request signal, wherein identification codes differentially identify the requesting network component (UE) from other network components (UE). As also noted with respect to the teachings of Gustafsson with respect to the Examiner's rejection of claim 17, Gustafsson fails to teach that *transmission path information may be derived* from the generated access request signal. In claim 22, the derived transmission path information is "a transmit power level," wherein "previously an association between identification codes and transmit power levels has been established." In rejecting claim 22, the Examiner acknowledges that Gustafsson fails to "explicitly disclose . . . analyzing the identification code to derive a transmit power level therefrom, wherein previously an association between identification codes and transmit power levels has been established . . ." To overcome this deficiency of Gustafsson, the Examiner *ostensibly* points to teachings in Hwang. The teachings of Hwang to which the Examiner refers, however, do not bear any apparent resemblance to the deficiencies of Gustafsson which the Examiner seeks to cure. Specifically, the Examiner fails to point to any teaching in Hwang relating to "analyzing [an] identification code *to derive a transmit power level*

therefrom, wherein previously an association between identification codes and transmit power levels has been established." (emphasis added). Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness of claim 22. Whereas claims 23-25 are dependent from claim 22, and include the limitations thereof, those claims are also not obvious over Gustafsson in view of Hwang (or any of the additional references cited by the Examiner).

Claims 27-28

The Examiner rejected claim 27 as being unpatentable over Baker, Gustafsson, Hwang and Karna. Claim 22 recites:

27. A network component configured to request access to a node of a wireless communications network, said network component comprising:
- a first determination unit for determining information about a transmission path within the network;
 - a database including data associating identification codes and transmission path information, wherein said identification codes differentially identify the requesting network component from other network components; and
 - a second determination unit for determining, in dependence on the determined transmission path information, an identification code to be included in an access request signal from which transmission path information may be derived.

In rejecting claim 27, the Examiner states that "Baker-Gustafsson-Hwang-Karna discloses a network component . . .," followed by a recitation of the claim elements; the Examiner, however, only provides references to portions of Baker and Karna. The Applicants have reviewed the referenced figures and descriptions of Baker and Karna and can find no support for the Examiner's assertions, even giving those references the broadest possible interpretation. Furthermore, it does not appear that the teachings of Gustafsson and Hwang, as discussed *supra*, would overcome the deficiencies of Baker and Karna. The Applicants, therefore, believe that the Examiner has failed to establish a *prima facie* case of obviousness of claim 27. Whereas claim 28 is dependent from claim 27, and includes the limitations thereof, that claim is also not obvious over Baker and Karna, or any combination of "Baker-Gustafsson-Hwang-Karna."

Claims 29-30

The Examiner rejected claim 29 as being unpatentable over Baker, Gustafsson, Hwang and Karna. Claim 29 recites:

29. A network component configured to control access to a node of a wireless communications system, the network component comprising:

a database including data associating identification codes from which transmit power information may be derived, wherein said identification codes differentially identify the requesting network component from other network components;

an analyzer for analyzing the identification code included within a received access request signal with respect to the transmit power information associated with the identification code; and,

a derivation unit for deriving from the transmit power information obtained by the analyzer a transmit power level for an access control signal. (emphasis added)

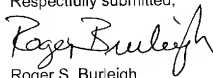
In rejecting claim 29, As with the Examiner's rejection of claim 27, the Examiner states that "Baker-Gustafsson-Hwang-Karna discloses . . .," followed by a recitation of the claim elements; in this case, however, the Examiner only provides references to portions of Gustafsson and Hwang. The Applicants have reviewed the referenced figures and descriptions of Gustafsson and Hwang and can find no support for the Examiner's assertions, even giving those references the broadest possible interpretation. Furthermore, it does not appear that the teachings of Baker and Karna, as discussed *supra*, would overcome the deficiencies of Gustafsson and Hwang. The Applicants, therefore, believe that the Examiner has failed to establish a *prima facie* case of obviousness of claim 29. Whereas claim 30 is dependent from claim 29, and includes the limitations thereof, that claim is also not obvious over Gustafsson and Hwang, or any combination of "Baker-Gustafsson-Hwang-Karna."

CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 17-30.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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